

CHAPTER NO. 464

HOUSE BILL NO. 3543

By Representatives McMillan, Davidson, Baird

Substituted for: Senate Bill No. 3447

By Senators Crutchfield, Kilby

AN ACT to amend Tennessee Code Annotated, Title 43, Chapter 8, relative to the sale of restricted use pesticides.

WHEREAS, there is an intense interest in ensuring that pesticides designated as "restricted use" pesticides are sold to and purchased by only persons possessing the necessary credentials to be authorized by law to make such purchases; and

WHEREAS, only those persons who hold a valid certificate or license issued by the department of agriculture are authorized to make such purchases; and

WHEREAS, the most effective way to prevent unauthorized sales is through the checking of credentials and the record keeping of pesticide dealers who are authorized to sell restricted use pesticides; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated Section 43-8-103 (b), is amended by deleting the word and letter "Class C" and substituting instead the word and letter "Class A".

SECTION 2. Tennessee Code Annotated Section 43-8-107 (a) is amended by deleting the word and letter "Class C" and substituting instead the word and letter "Class A".

SECTION 3. Tennessee Code Annotated Section 43-8-201 is amended by designating the current language as subsection (a) and adding the following language as a new appropriately designated subsection:

() No person shall sell or offer for sale within this state any pesticide classified by the commissioner as being for restricted use unless the person to whom the sale is made holds a valid certificate or license issued by the department of agriculture, as required by Tennessee Code Annotated Section 62-21-115. The pesticide dealer shall require that each purchaser show evidence of such certificate or license prior to finalizing the sale.

SECTION 4. This act shall take effect on July 1, 2004, the public welfare requiring it.

PASSED: March 18, 2004



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 29th day of March 2004



PHIL BREDESEN, GOVERNOR